

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPHINE T. BELLUM & KAREN A.
BISTREK, on behalf of themselves and others
Similarly situated,

Plaintiffs,

v.

THE LAW OFFICES OF FREDERIC I.
WEINBERG & ASSOCIATES, P.C.,
Defendant.

CIVIL ACTION
NO. 15-2460

ORDER

AND NOW, this 12th day of September, 2016, upon consideration of the unopposed Motion filed by Josephine T. Bellum and Karen A. Bistrek (“Plaintiffs”) for Settlement, (Dkt No. 35), including a Memorandum of Law in Support thereof, (Dkt No. 35-1), and Plaintiffs’ Motion for Attorneys’ Fees and Expenses, (Dkt No. 36), and Memorandum of Law in Support thereof, (Dkt No. 36-1), as modified by the Joint Notice of Agreement on Attorneys’ Fees, (Dkt No. 40), and consideration that no objections were filed by any member of the Class, it is hereby ORDERED that:

1. The Clerk of Court is directed to remove this case from suspense.
2. This Court has jurisdiction over the subject matter of this Action, including the terms and conditions of the Settlement Agreement and all exhibits thereto, and over all parties to the Action and all Class Members.
3. The Court hereby affirms its appointment of Josephine T. Bellum and Karen A. Bistrek as Class Representatives and Greenwald Davidson Radbil PLLC as Class Counsel for the Class.
4. The parties’ Notice, (Dkt No. 29-2), constituted the best practicable notice to Class members under the circumstances of the Action and fully satisfied all applicable requirements of the Federal Rules of Civil Procedure (including Rules 23(c) and (d)), the United States Constitution (including the Due Process Clause).

5. The Court hereby finally certifies the following class for the purposes of Settlement only (the “Settlement Class”), pursuant to Rules 23(a) and Rule 23(b)(3) of the Federal Rules of Civil Procedure:

All persons with a Pennsylvania address to whom The Law Offices of Frederic I. Weinberg & Associates, P.C. mailed an initial debt collection communication that stated: “If you notify this firm within thirty (30) days after your receipt of this letter, that the debt or any portion thereof, is disputed, we will obtain verification of the debt or a copy of the judgment, if any, and mail a copy of such verification or judgment to you,” between May 4, 2014 and May 4, 2015, in connection with the collection of a consumer debt on behalf of Bank of America, N.A.

6. The Court finds that the following four persons timely filed requests for exclusion from the Class and Settlement and are not bound by this Order: Pauline J. McKelvey, Beth Kennedy, Larry F. Haney, and Tonya M. Saxe. This Order is otherwise binding on all Class members who did not validly and timely exclude themselves from the Settlement.
7. In light of the benefits to the Class, the complexity, expense and possible duration of further litigation against the Defendant, and the risks of recovering less damages at trial than were recovered via settlement, pursuant to Rule 23 of the Federal Rules of Civil Procedure, the Court hereby fully and finally approves the Settlement as set forth in the Settlement Agreement, and finds that the Settlement is, in all respects fair, reasonable and adequate, and in the best interests of Plaintiffs, the Class, and the members of the Class. This Court further finds the Settlement set forth in the Settlement Agreement is the result of arm’s length negotiations mediated by the Honorable Lynne A. Sitarski, United States Magistrate Judge, and between experienced counsel representing the interests of Plaintiffs, the Class, and the Defendant. The Settlement shall be consummated in accordance with the terms and provisions of the Settlement Agreement. (Dkt No. 29-2.)
8. The Complaint, (Dkt No. 1), is hereby dismissed with prejudice. The settling parties are to bear their own costs, except as otherwise provided in the Settlement Agreement or this Judgment.
9. Individual and class releases set forth in the Settlement Agreement are approved. The released claims are consequently compromised, settled, released, discharged, and dismissed with prejudice by virtue of these proceedings and this Order.
10. The Court awards Class Counsel a total of \$24,500.00 in attorney’s fees and expenses.
11. The provisions of this Judgment constitute a full and complete adjudication of the matters considered and adjudged herein, and the Court determines that there is no just

reason for delay in the entry of judgment. The Clerk is hereby directed to immediately enter this Judgment.

BY THE COURT:

/s/ C. Darnell Jones, II

C. Darnell Jones, II J.